REMARKS

Claims 2-3, 6-10, 12-20, 22, 24-41, and 47-56 are pending, with claims 2, 16, 24, 31, and 39 being independent. Claims 1, 4, 5, 11, 21, 23, 36, and 42-46 have been canceled. Claims 2, 9, 16, 24, 28, 31 and 39 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

I.　Rejections under 35 U.S.C. §§ 102 & 103

Claims 2-3, 6-10, 12-18, 22, 24-41 and 47-56 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,694,434 to McGee et al. ("McGee"). Claim 19 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McGee. Claim 20 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McGee in combination with U.S. Patent Publication US2002/0087876 to Larose. These rejections are respectfully traversed.

A.　McGee

McGee discloses a system for controlling the execution of a program. To control the execution of a program a second party (a trusted party) provides application registration data corresponding to one or more approved executable programs. The application registration data includes unique a first application verification data element. A client device that wishes to execute a program generates a second unique application verification data element, which is compared to the first application verification data element. If a match is found the program is allowed to execute. See McGee at Abstract.

With respect to the independent claims, the Examiner points to columns 11 and 12 of McGee as disclosing that a server can receive a request to take action with respect to a document (citing Col. 11, lines 7-12), identifying information associated with the document (citing Col. 11, lines 19-32), where that information identifies a second and different document that is transmitted to the client device (citing Col. 12, lines 28-63).

A careful reading of these passages reveals that the Examiner points to two separate and distinct processes for (1) performing the process of identifying information associated with the document and (2) identification of a second and different document.

Regarding the first process a document is initially compared against file filter criteria to determine whether or not the document should bypass any further procedure to determine whether it may be executed. See McGee at Col. 11, lines 19-32. File filter criteria is retrieved and examined in order to determine whether a document should be compared to application verification elements. As described by McGee, "this may allow core applications or operating system applications (which may be known to be stable, trustworthy, licensed, or pre-approved), to bypass the checking procedure and be granted default execution privileges immediately." McGee at Col. 11, lines 32-26. This process occurs prior to any possible further examination of the document in which a second program may be identified.

Regarding the second process, it does not occur if a program bypasses further examination based on execution of the above-described process. If however a document is to be examined, a <u>unique application verification element</u> of the document is used to identify if the document can be executed and/or if a second document exists. This process is completely unrelated to the previous process using the file filter criteria. Instead, a hash based on the document is compared to stored hash values to determine if the document can be opened and if a second version of the document should be transmitted to the client.

B.   The Amended Independent Claims Are Allowable Over McGee

Amended Claim 2 recites, in part:

> receiving a request to take an action with respect to a distributed electronic document; [and]
> <u>identifying, in response to the request, information associated with the distributed electronic document, the associated information comprising user-dependent association information</u> and indicating a second electronic document different from the distributed electronic document

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(Emphasis Added).

Amended Claim 2 is allowable over McGee because McGee fails to disclose or teach at least the method of identifying, in response to receiving a request, information associated with the distributed electronic document, the associated information comprising user-dependent association information and indicating a second electronic document.

The file filter criteria relied on by the Examiner as reading on "information associated with the distributed document" fails to include any user-dependent information. In fact, the file filter information is used solely to identify whether core applications or operating systems can bypass the checking procedure. As provided by McGee:

> However, if an executable file open commencement request is detected, the processor retrieves file filter criteria as shown in block 510. File filter criteria may include, for example, any suitable data identifying whether or not the file or executable file data designated for execution (and, hence, generating the open commencement request) is such a file that should be analyzed for being on the hash list. For example, file filter criteria may include the extension of files believed to be executable such as exe, java, or any other suitable executable file delineator. Other filter criteria may include where the file is located, for example in which local directory, at what memory address range, or on which disk partition. This may allow core applications or operating system applications (which may be known to be stable, trustworthy, licensed, or pre-approved), to bypass the checking procedure and be granted default execution privileges immediately.

(emphasis added). Col. 11, lines 19-36. Because the purpose of file filter criteria is to identify file types, there is no reason or suggestion why the information associated with the document would include user-dependent information.

Additionally, as noted above, the file filter criteria is distinct from the unique application verification element. Thus, there is no identification, in response to the request, of information associated with the distributed electronic document, where the associated information comprises user-dependent association information *and* where that information indicates a second electronic document.

Even though both the file filter criteria and unique application verification element can rely in part on the location of the document, there is no identified associated information that

includes user-dependent information *and* which is used to indicate a second electronic document because the unique application verification element uses the location of the document only to generate a hash value which in turn is used in a comparison to other hash values to determine if a second document exists that is related to the first document.

Thus, for at least the above reasons, independent claim 2 should be allowable over McGee. Each of the dependent claims should be allowable based on the above arguments and the additional recitations they contain. Amended independent claims 24 and 39 should also be allowable for the same reasons described above with respect to claim 2. Further, each of their dependent claims should be allowable based on the above arguments and the additional recitations they contain.

Amended independent Claims 16 and 31 recite, in part:

opening a locally retained distributed document;
contacting a document control server identified from the distributed document;
transmitting authentication information to the document control server to effect an authentication process; and
forcing use of a second document in place of the distributed document, with respect to at least one document action, based on information received from the document control server.

(Emphasis added).

The amended claims are distinguishable from McGee because McGee fails to include an authentication process in which a client transmits authentication information to a server after opening a locally retained document. In stark contrast, McGee initially uses file filter criteria to determine if action should be taken on a document, which does not require an authentication process to take place. In fact, McGee is completely silent on such a process.

Thus, for at least the above reasons, independent claims 16 and 31 should be allowable over McGee. Each of their dependent claims should also be allowable based on the above arguments and the additional recitations they contain.

II.   Conclusion
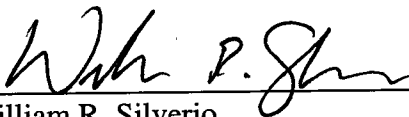
The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, the above arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

A notice of allowance is respectfully requested. No fees are believed due with this response. However, please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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